

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARCUS CARDER,)	
)	
Plaintiff,)	Civil Action No. 1:13-00349-TFM-SPB
)	
v.)	
)	
MAJOR GARY SEYMOUR, et al.)	
)	
Defendants.)	

MEMORANDUM ORDER

This case is before the Court on the pending Report and Recommendation filed by Magistrate Judge Susan Paradise Baxter on December 30, 2014 (ECF No. 27). Magistrate Judge Baxter recommended that the motion to dismiss (ECF No. 23) filed on behalf of Defendants Major Gary Seymour, Warden Kevin Sutter, Deputy Warden Michael Holman, Captain Carmen, Counselor Terry Roberts, Inmate Services Monica Carroll, Sgt. John Kendziora, and Correctional Officer Douglas Patterson be granted and that this case be closed.

Plaintiff was served with the Report and Recommendation and informed of the timeframe in which he had to file written objections. Plaintiff has not filed written objections.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 28th day of January, 2015:

IT IS HEREBY ORDERED that the motion to dismiss is **GRANTED**, the Report and Recommendation is **ADOPTED** as the Opinion of the Court, and the Clerk of Court shall mark this case **CLOSED**.

By the Court:
s/ Terrence F. McVerry
Senior United States District Judge

cc: Marcus Carder
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